



CLAUSEN MILLER P.C.  
CHICAGO, IL  
NEW YORK  
CALIFORNIA  
NEW JERSEY  
INDIANA  
WISCONSIN  
CONNECTICUT  
FLORIDA  
TEXAS

CLAUSEN MILLER LLP  
LONDON, ENGLAND



*Attorneys at Law*

28 Liberty Street, 39th Floor • New York, NY 10005 • [www.clausen.com](http://www.clausen.com)  
Tel: 212.805.3900 • Fax: 212.805.3939

**Carl M. Perri, Esq.**  
Direct Line: (212) 805-3958  
E-Mail: [cperri@clausen.com](mailto:cperri@clausen.com)

November 21, 2023

**Via E-Filing and E-mail:** [chamberssynsdseibel@nysd.uscourts.gov](mailto:chamberssynsdseibel@nysd.uscourts.gov)

The Honorable Cathy Seibel  
United States District Court for the Southern District of New York  
The Honorable Charles L. Brieant Jr. Federal Building and United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601-4150

Re: *The Wave Studio, LLC v. General Hotel Management, Ltd., et al.*  
Civil Action No: 7:13-cv-09239-CS

Dear Judge Seibel:

This letter is written in accordance with the Court Order of November 7, 2023 (ECF Doc. No. 296) requesting the Parties to provide their respective position regarding Plaintiff Wave Studio's Motion to Lift the Stay. We represent the following Defendants:

- 1) About, Inc. d/b/a About.com; 2) Alliance Reservation Network d/b/a Reservetravel.com; 3) Bookit.com, Inc.; 4) Expedia, Inc. d/b/a Expedia.com; 5) Fareportal, Inc. d/b/a Cheapoair.com; 6) Farebuzz d/b/a Farebuzz.com; 7) Frommer Media d/b/a Frommers.com; 8) Getaroom.com d/b/a Getaroom.com; 9) Hotels.com GP LLC d/b/a Hotels.com d/b/a Travelnow.com; 10) Hotelsbyme d/b/a Hotelsbyme.com; 11) Lexyl Travel Technologies d/b/a Hotelplanner.com; 12) Esteban Oliverez d/b/a Insanelycheapflights.com; 13) JetBlue Airways Corporation d/b/a JetBlue.com; 14) Kayak Software Corporation d/b/a Kayak.com; 15) Lonely Planet Global, Inc. d/b/a Lonelyplanet.com; 16) Metro Travel Guide d/b/a Metrotravelguide.com; 17) Netadvantage.com d/b/a IHSadvantage.com; 18) Reservation Counter d/b/a Reservationcounter.com; 19) Pegasus Solutions, Inc.; 20) Random House d/b/a Fodors.com; 21) This Exit, LLC d/b/a Roadside merica.com; 22) Travelocity.com d/b/a Travelocity.com; 23) Tripadvisor, LLC d/b/a Tripadvisor.com; 24) United Airlines,



The Honorable Cathy Seibel  
November 21, 2023  
Page 2

Inc. d/b/a Hotels.United.com; 25) Gogobot, Inc. d/b/a gogobot.com; 26) Qantas Airways Ltd.; 27) WK Travel, Inc.; 28) AOL, Inc.; (29) Travelzoo, Inc.; 30) Charles Kessler Associates, Inc.; 31) United Airlines, Inc. Successor-In-Interest to Continental Airlines, Inc.; 32) Swiss International Air Lines, LTD; 33) Virgin America, Inc.; 34) Virgin Vacations, Inc.; 35) Virgin Atlantic Airways Limited; and 36) VFM Leonardo, Inc. (“The Defendants”)<sup>1</sup>

The Defendants agree with the procedural proposal articulated in the letter submitted by Defendant General Hotel Management Ltd. (“GHM”). The Defendants further state they were not parties to the Singapore action and do not have knowledge as to the details of the claims or resolution in that action, including whether the photographs in the Singapore action are the same photographs in this action. These points are set forth in more detail in the GHM letter. The Defendants therefore respectfully object to Plaintiff’s request to immediately lift the stay and adopt the proposal articulated by GHM.

We thank you for your attention to these matters and we look forward to addressing these issues on November 29.

Respectfully submitted,

A handwritten signature in black ink that reads "Carl M. Perri".

By:  
Carl M. Perri

CMP/HRH:jar

cc: All counsel of record via ECF

---

<sup>1</sup> We note that Kayak Software Corporation is also represented by co-counsel at the Morgan Lewis firm, who are submitting a separate letter with which we concur as well.